

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LOGAN PAUL,

四庫全書

Plaintiff,

四庫全書

V.

SA-24-CV-717-OLG (HJB)

STEPHEN FINDEISEN, and
COFFEE BREAK PRODUCTIONS LLC
d/b/a Coffeezilla,

Defendants.

ORDER

Before the Court are the following motions: Plaintiff's Motion to Preserve Confidentiality Designations (Docket Entry 36); Plaintiff's Second Motion to Preserve Confidentiality Designations (Docket Entry 42); Non-Party Thomas Kherkher's Motion to Quash Subpoena to Produce Documents and Motion for Protective Order (Docket Entry 58); and Plaintiff's Motion to Compel the Production of Defendant Stephen Findeisen's Communications with Non-Party Thomas Kherkher (Docket Entry 62). Pretrial and scheduling matters in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b). (See Docket Entry 33.)

The Court held a hearing on the above motions on March 24, 2025. In accordance with the Court's rulings at the hearing, it is hereby **ORDERED** as follows:

- 1) Plaintiff's Motion to Preserve Confidentiality Designations (Docket Entry 36) and Plaintiff's Second Motion to Preserve Confidentiality Designations (Docket Entry 42) are **GRANTED IN PART**, as follows:

 - a. **On or before April 24, 2025**, the parties must: (i) confer regarding the designation of the 125 documents before the Court for which the confidentiality

designation is contested (*see* Docket Entry 36, at 4; Docket Entry 42, at 2–4); and (ii) submit a Joint Advisory to the Court specifically identifying any documents for which the designation remains contested. As to the contested documents, the Joint Advisory must indicate whether designation of all, or only a portion, of the document is contested, and explain whether the contested designation should be resolved immediately or instead be reserved until such time as either party seeks to use the document in this litigation.

- b. As to the contested documents, the confidentiality designation is hereby **PRESERVED** pending further Order of the Court.
- 2) Plaintiff's Motion to Compel the Production of Defendant Stephen Findeisen's Communications with Non-Party Thomas Kherkher (Docket Entry 62) is **GRANTED IN PART**. **On or before April 7, 2024**, counsel for Defendants must produce to the Court, for *in camera* inspection, the unredacted documents that are the subject of the motion to compel. Defense counsel should confer with counsel for Mr. Kherkher in advance of the *in camera* production to ensure that all relevant documents are produced for the Court's consideration. The *in camera* documents should be emailed to court chambers at wendy_branham@txwd.uscourts.gov.
- 3) Non-Party Thomas Kherkher's Motion to Quash Subpoena to Produce Documents and Motion for Protective Order (Docket Entry 58) is **HELD IN ABEYANCE** pending the Court's review of the documents to be submitted *in camera* under paragraph (2) above.

SIGNED on March 24, 2025.



Henry J. Bemporad
United States Magistrate Judge